

Pembroke Estate Management Board Members Handbook



Welcome to Pembroke Estate Management Board. This handbook will help you with the things you need to know about being a Board Member.

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Pembroke EMB

Pembroke Estate Management Board (PEMB) was formed in 1994 and is a tenant managed organisation (TMO) – the only one south west of Bristol (although there are many TMO's across the country). It is a limited company, which means it exists as a standalone organisation and the Board members are protected from any financial liability. PEMB is also 'not for profit' which means that it doesn't aim to generate a profit to distribute to shareholders or directors. Any surplus funds are reinvested in the company for the benefit of the residents who live on the estate. PEMB's main aim is to provide a good service to residents and its success is measured mainly in terms of social impact and value rather than financial profit.

A tenant managed organisation (TMO) is where the tenants take over the running of their estate/homes. They form a company and a Board and employ staff to do this. They also work with the landlord of the homes/estate to make sure the estate is run properly. TMO's were made possible by Government policy changes in the 1990's which allowed council tenants to apply to take over the management of their homes, with funding available to guide them through the process. Setting up a TMO was a difficult process, made possible due to the efforts of a dedicated group of volunteers from Pembroke Street, who were determined to improve the housing on the street. They campaigned for several years to secure funding to redesign and refurbish the estate and also went on to take on the housing management role from Plymouth City Council in a unique partnership. Some of the work that PEMB became involved in was ground breaking and focussed on wider challenges facing the neighbourhood such as unemployment and skills shortages, crime prevention and community development. A large number of TMO's were formed in the 1990's, but this has declined since then. Part of the reason for this is due to the lack of promotion of this option to tenants and that a large proportion of council homes are now managed by housing associations and the same right to manage rules don't apply to housing association tenants.

The homes in Pembroke Street are mostly owned by Plymouth Community Homes (PCH) PCH is a **Housing Association** – a Housing Association is a company that rents out homes to people. It is commonly referred to as '**social housing**' and is more affordable than private renting. Around 6 million people across the UK live in social housing. PCH was formed in 2009 and took over approximately 15,000 Council homes from Plymouth City Council. Homes are allocated according to an individual's needs, which is assessed by Plymouth City Council on behalf of all social housing landlords. This is a national system applicable to all social housing. In Devon, the scheme is called '**Devon Home Choice**'. Individual applicants are given a priority banding from A – E by Plymouth City Council depending on how urgent their housing need is. They can then bid for homes which are advertised weekly. PEMB are responsible for allocating properties to applicants. There is some limited scope to choose who the most suitable applicant will be for a property, by considering whether they have a local connection to Devonport or have any recent criminal convictions which may impact on other residents. A 'Local Lettings Plan' exists to enable these decisions to be made on the basis that they will help promote a balanced and sustainable community. The allocation process must be transparent and fairly applied.

Some homes on Pembroke Street are privately owned. This is because of a Government policy called '**Right to Buy**' introduced in the 1980's where tenants have the right to buy their home at a discounted price. This only applies to tenants who were council tenants before PCH was formed.

People who own their homes are referred to as '**leaseholders**'. Most leaseholders on Pembroke Street are 'owner occupiers', but some homes are rented to private tenants by the leaseholder. This means they don't have to be allocated via Devon Home Choice, but the rents are higher as they are based on local market rents.

Pembroke EMB has a **Management Agreement** with Plymouth Community Homes. The Management Agreement sets out who has responsibility for doing things on the estate. This is what Pembroke EMB is responsible for doing:

- Repairs and maintenance of homes. This includes all internal fixtures and fittings including plumbing and electrical components. Exceptions are showers, boilers and door entry system.
- Keeping the outside space on the street tidy and well maintained e.g., grass cutting, shrub planting and maintenance, weed spraying, bulky waste clearance, litter and rubbish disposal.
- Getting homes ready for re-let. Managing the process from when a tenant confirms they are moving out, including changing the locks, arranging safety checks and carrying out repairs and decoration.
- Allocating properties to new applicants. This involves advertising properties, contacting applicants, checking eligibility, carrying out financial assessments and other pre tenancy checks, arranging flat viewings.
- Dealing with 'low level' anti-social behaviour (higher level anti-social behaviour is dealt with jointly with PCH) *
- Tenancy engagement and support. Keeping residents informed about projects and services. Consulting residents face to face and via surveys. Dealing with queries by phone, email and in person. Supporting residents with any housing related problems.

This is what Plymouth Community Homes are responsible for doing:

- Collecting rent
- Doing large repairs and maintenance e.g., repair work to the roof of a building

*Pembroke EMB can only directly deal with low level anti-social behaviour as they do not have the legal power to take people to court – only the landlord (PCH) can do this. This is why Pembroke EMB and PCH work together to deal with higher level anti-social behaviour.

Non housing activities

In addition to the core housing management role, PEMB also offers a number of other projects and services either directly as a service provider or indirectly, by supporting others to deliver services. Some examples of current and recent projects and services include:

- Managing the Mount Wise Neighbourhood Centre
- Weekly youth club sessions for young people across Mount Wise
- School holiday activity programmes mainly during Easter and Summer holiday periods
- Minibus hire to community groups

Providing these services means extra responsibilities for PEMB in terms of things like health and safety, maintenance, staffing and volunteers, safeguarding and financial resources. These services are funded by other income, mainly grant funding.

5 year ballot

The residents of Pembroke Street vote every 5 years to decide whether they want PEMB to carry on managing the estate or if they would prefer for PCH to manage the homes directly. This is a national Government requirement applicable to all TMO's.

The other important document to know about is the **Pembroke EMB ltd company rules** – this sets out how the company will run and what it aims to do. All tenants and leaseholders can become members of the company when they sign their tenancy agreement or lease. The main aim is to look after Pembroke Street – but the company rules also allows for PEMB to be involved in wider work in the neighbourhood, for example youth work. This document also has rules around who can be on the Board, and for how long. As a limited company, PEMB is required to prepare and file annual accounts with Companies House, which is the regulatory body for limited companies and to either send the accounts to all its members annually or have an AGM where the accounts are presented.

The role of the Board

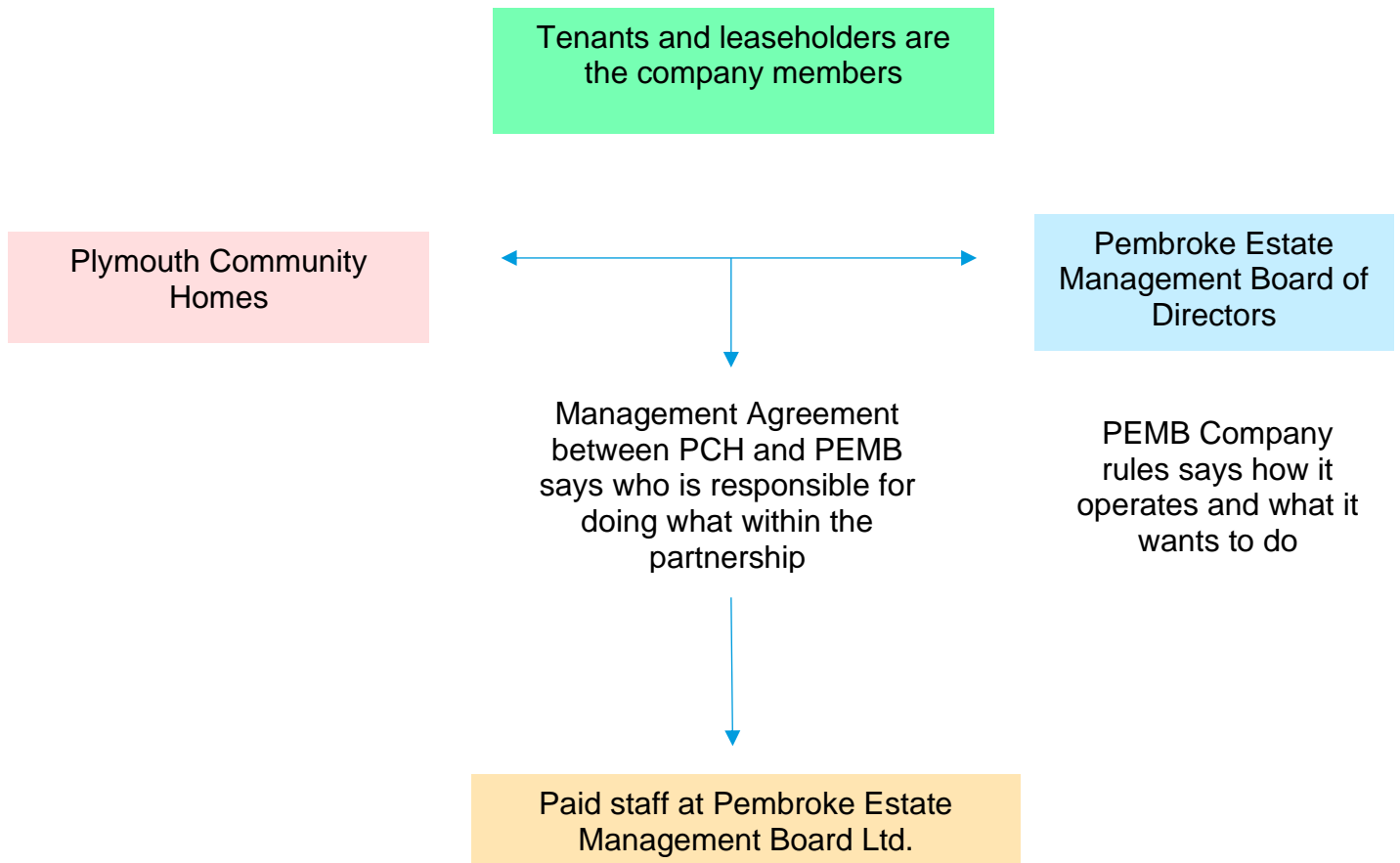
Plymouth Community Homes 'delegate' (give) responsibility for the running of Pembroke Street to the Pembroke Street Board of Directors (the Board) who then 'delegate' this work to the Pembroke EMB paid staff. Any work which is established and ongoing – like allocating properties or carrying out repairs - is generally only discussed by the board as part of routine reviews of key performance indicators (KPI's) which are agreed between PCH and PEMB periodically. The board would only get involved if there was a significant challenge presented by carrying out the routine work e.g. a change to the legislation around allocating properties or an issue with sourcing materials for a particular type of repair. In general, the Board are involved in reviewing information presented to them in the form of financial reports and key performance reports. And considering proposals presented by the Manager based on topics agreed in advance, often at the start of the year when new development priorities are put forward and agreed.

The Management Agreement between PCH and PEMB says who is responsible for doing what. Pembroke Street EMB has a set of company rules which say how it operates and what it wants to do. Along with a number of policies and procedures, these documents make sure that everyone knows what they need to do.

PEMB Board members can have a direct input into how services are delivered and what new services and projects they would like to see developed. Whilst a lot of the day-to-day management of the estate is pre-determined, there are often opportunities to shape the way services are delivered and how budgets are spent. For example, on Pembroke Street, residents benefit from a faster response time in terms of repairs. Stairwell cleaning is carried out weekly which is quite rare in social housing. Residents can also access support from the estate office for a range of things like filling in forms, taking in parcels or small home DIY tasks which would be beyond the scope of most housing providers. PEMB have very limited scope to influence housing policy e.g. how properties are allocated, as these rules are made by Government and all housing providers have to follow them. Sometimes this can cause frustration as contentious issues like how anti social behaviour is dealt with can be hampered by legal restrictions placing limits on what can be done to tackle the issue.

This diagram shows that the responsibility for running Pembroke Street sits with the Board – the staff that are employed are managed by the Board and are there to carry out decisions that the Board make.

The Board do not get involved in the day to day running of the estate – staff do this.



What are the Board responsible for?

The Board members share the responsibility of running the company (Pembroke EMB Ltd) and:

1. Making sure Pembroke EMB does everything it needs to do under the Management agreement with PCH and within the money that is available e.g. making sure the estate is run well, and that it is accountable to the company members, along with sending information to PCH about performance and that the work is carried out safely and effectively
2. Making sure the company (PEMB Ltd) is run well and fulfils its aims – this includes managing the finances of PEMB Ltd (see below)
3. Supporting the Pembroke Street staff to make sure they are doing what the Management agreement, and company rules say and what the Board need them to do. And that the plans are realistic and achievable based on the resources available

Finances

Pembroke EMB receives payment from Plymouth Community Homes to carry out the core work of managing the estate. PCH do not routinely give funding for other things such as youth work and the Neighbourhood centre – this money has to be found through fundraising. The Board need to always be thinking about what the company has capacity to do on top of the core work of running the estate.

PEMB Ltd have to submit their accounts every year to Companies House (which is a government agency) – this is a legal requirement.

There is no financial risk for Board members as they are covered by the company insurance policy for all the decisions they take as a collective group. Risk is limited to £1 per person if things go wrong for the company.

In addition PEMB has comprehensive insurance cover in place covering a wide range of risks which includes indemnity insurance for Board members, providing additional protection for Board members against any legal challenges which could arise as a result of the decisions Board members take, having acted in good faith.

Complaints

The Board may have to be involved in resolving complaints from residents. Pembroke EMB have a Complaints Policy (see Appendix 5) which sets out how complaints are dealt with. There are 3 stages to dealing with complaints. In Stage 1, staff provide an answer to the complaint. However, if the person complaining is not satisfied with the answer, the complaint goes to Stage 2, where a panel of Board Members consider the complaint and give a response. If the person is still not satisfied with the answer, Stage 3 involves the complaint being heard by the full Board.

As well as sometimes dealing with complaints, the Board should receive a report every quarter showing any complaints or compliments that have been received. This is so they can ensure that mistakes are not repeated, and good practice is acknowledged.

The role of the Chair

The Board has a Chair who is elected by the Board. The Chair sets the agenda for Board meetings with the PEMB Manager, and also chairs Board meetings. This involves making sure that:

- The meeting starts and finishes on time
- The meeting covers all the agenda items and has the right amount of time for each of them
- People talk about the agenda items and not other things
- Everyone gets to speak if they want – different people speak and no one dominates the meeting
- People speak one at a time and are allowed to speak without being interrupted
- People do not look at or answer their phones (if someone is expecting an important call, they should inform the Chair of the meeting in advance).
- Everyone is respectful to each other in both their words and their actions

The Chair often serves as a spokesperson or main representative of the Board and might be occasionally needed to meet official visitors to the estate or attend official engagements on behalf of the Board.

The Pembroke EMB Staff team

The staff team is comprised of:

- a full time Manager (37 hrs per week) – overall responsibility for managing the company and ensuring PEMB fulfils its obligations under the management agreement. Does the following: Supervision and management of the staff team, tenancy management and anti-social behaviour case management, accountable to the Board for company performance including any subsidiary projects or activities, liaison with and reporting to PCH, financial management.

- a part time Administration Worker (21 hrs per week) – responsible for ensuring general administration and record keeping is maintained.
- a part time Support Worker (16 hrs per week) – deals with general tenancy enquiries and provides support to the company with a range of tasks.
- a Repairs and Maintenance worker (29 hrs per week) – Planning and carrying out estate maintenance and repairs including preparing void properties for re-let. Supervision of the estate maintenance worker.
- a Maintenance Worker (30 hrs per week) – cleaning and general maintenance. Assisting the Lead Repairs Supervisor with completing repairs and preparing voids for re-let.
- a Youth Worker (8 hrs per week) – planning and supervising the weekly youth club sessions and the school holiday activity programmes.

Who's on the Board?

Pembroke Street residents are in the majority on the Board. There is no set number of Board Members but there are usually around 13 resident Board members. Most of the resident Board members are PCH tenants and there is usually at least one leaseholder on the Board. Resident Board members do not need extra skills to become a Board member – their knowledge of what it's like to live on the street is what's important. Resident Board members are elected by the wider membership – the residents who live on the estate - usually at the Annual General Meeting (AGM).

Other non-resident 'co-opted' members who have particular skills and an interest in PEMB also sit on the Board and are voted on by other Board members. A representative from PCH attends Board meetings to represent PCH but is not a Board member and cannot vote on decisions. All Board members are volunteers and aren't paid for their time – but can be paid expenses such as travel or childcare.

What commitment is needed?

All Board members need to commit to:

1. Attending meetings as this is where the Board get together to make decisions and make sure that things are running properly. If Board members don't come to meetings, it's not possible for Pembroke EMB to do what it needs to do. This is the list of meetings that Board members need to attend:
 - Board meetings – these usually take place 4 times a year in March, June, September and December and are usually 1 and a half hours long.
 - Liaison meetings – these meetings take place every 6-8 weeks and are used to discuss things that need to go through to the Board for decisions
 - Finance meetings – these happen twice a year and are used to have a good look at the finances of Pembroke EMB, and make sure the company is operating within the money it has.
 - The Annual General meeting – this happens once a year and is a meeting where everyone on Pembroke Street is invited. Re-election of Board members happens here.
 - Training sessions
2. Reading papers for meetings before the meeting happens and coming to the meeting ready to discuss the things on the agenda.

3. Asking if they don't understand - it can be difficult for new Board members to understand all the things that are spoken about at Board meetings at first. This is normal – if you don't understand something in the papers that are sent out before the meeting, contact the Manager and ask – they will be happy to explain! And it's fine to ask for things to be explained at Board meetings – everyone would rather that you ask, as otherwise you won't be able to take part in discussions or decisions.
4. Learning about the company and it's responsibilities so that they can help make decisions.
5. Responding to emails from the Manager or other Board members if a decision/input from the Board is needed.
6. Supporting one another to make the board as effective as it can be.
7. Representing the board within the community by raising awareness of what the EMB does and listening to ideas from residents and other about how services can be improved.
8. Signing up to the code of conduct (Appendix 1)
9. Reading and acting in a way that is in line with the Equalities, Diversity and Inclusion policy (Appendix 4)

What happens if I can't come to meetings?

If you cannot come to a meeting, please let the Office know – preferably at least 24 hours before. (although we do understand that there are last minute things that come up and this isn't always possible). It's understandable that you will occasionally miss a meeting. If you miss a number of meetings over a longer period of time, it means you will have less input and awareness of the work PEMB is involved in. Sometimes, if the absence is due to something like a short term health problem or a family issue, you can get involved once things return to normal. However, if Board members regularly miss meetings on a continued basis for no obvious reason, it means the Board cannot run as it is intended to. If a Board member misses 3 meetings in a row, they will usually be asked to stand down from the Board. This will then allow someone who is able to attend meetings to take the place on the Board. If you are asked to leave the Board, you can always stand to be re-elected at a later date when your circumstances mean it is easier for you to regularly attend meetings.

How do meetings operate? What do I have to do?

Board meetings and Annual General meetings are formal meetings – this means there is an **agenda** and a **Chair** and decisions are made. An **agenda** is a list of things that will be discussed at the meeting - the agenda for the meeting will be agreed by the Chair of the Board and the Manager, although Board members can also submit topics or questions in advance of the meeting. You will be sent information about these things a week in advance to help you understand what is being discussed. You need to read this information and make sure that you understand it – if you don't understand, ask the Manager to explain. There are some 'standing' items on the Board meeting agenda which are discussed at most meetings such as recording apologies, agreeing the minutes from the previous meeting, financial reports and key performance monitoring.

At the meeting the **Chair** will run the meeting – they will tell everyone which agenda item is being discussed, make sure everyone has an opportunity to speak and keep the meeting to time to make sure everything on the agenda is discussed.

Board members need to be on time, pay attention, listen carefully to what's being said, consider other people's opinions, and take part in the discussion where they can. Board members shouldn't interrupt, say other people are wrong or be rude to each other in their words or actions.

Board members need to always to act in the best interests of Pembroke EMB not their own personal interests or the interests of family or friends. This means considering a range of

information and views and coming to the best decision possible under the circumstances. Sometimes, it can be difficult for Board members to do this, but even if you have a strong view on something it is usually possible to express that and the Board can make a decision based on the majority view. However, if it is clear that you have something to personally gain or lose from a decision, you should declare it and possibly not be involved in making the decision.

Sometimes Board members have other interests e.g. jobs at other organisations, or friends who run companies and it could look like this could influence their decisions on the Board – for example if the Board were contracting out some work and a Board member's son owned a company that did that work, the Board member would need to '**declare an interest**'. This means formally declaring this to the Board. It would not be ok to keep quiet about this as if the son's company were given the work, people might say that they were given the work because their parent is on the Board, rather than because they are good at doing the work. This could damage the Board's reputation. It is usual practice that a Board member who might be seen to have another 'interest' in a decision would not be part of making that decision. This isn't because Board members can't be trusted to keep these things separate, but so that it's clear to outsiders that the Board are making sure that they make decisions fairly.

Board members need to keep information they hear at meetings confidential – this means not telling anyone outside of the Board about it, not even your partner, children or close friends. Board members have the privilege of hearing information that they need to run Pembroke EMB – but the information should only be used for this purpose. In general, all information should be treated as confidential. Papers issued to Board members are collected in at the end of the meeting so that they can be shredded.

The Code of Conduct (Appendix 1) that all Board members sign will help with knowing what is and isn't ok for Board members to do.

What does a good Board meeting look like?

In a good Board meeting you would notice:

- The meeting starts and finishes on time
- The meeting covers all the agenda items and has the right amount of time for each of them
- People talk about the agenda items and not other things
- Everyone gets to speak if they want – different people speak and no one dominates the meeting
- There are good discussions where people can express different views and have a debate about something without any hard feelings
- People speak one at a time and are allowed to speak without being interrupted
- Everyone listens well when people are speaking
- People pay attention and others can see that they are paying attention
- People do not look at or answer their phones (if someone is expecting an important call, they should inform the Chair of the meeting in advance).
- Everyone is respectful to each other in both their words and their actions (for example not shouting, speaking in an annoyed tone, calling people names, being abusive to one another, saying they are wrong, rolling their eyes, tutting etc)
- People make decisions for the good of the majority of the residents and not for their own personal reasons
- People don't discuss information from the Board meeting outside of the Board meeting

How do the Board make decisions?

The Board makes decisions by consensus – this means by everyone agreeing. This can be tricky as everyone has to come to an agreement – but it is a fair way to decide things.

What should come to the Board?

It can be difficult to know what things should come to the Board. The example below should help:

What happened	Where to take it
Furniture is dumped by a flat – it's an isolated incident	Report to the office – staff will deal with it
Furniture and rubbish have been dumped outside several blocks on separate occasions over a period of weeks	Bring to a liaison meeting for discussion – this could then be dealt with by staff and might need to go to the Board for further action (e.g. for the Board to consider how to remind people that they are not allowed to leave furniture/rubbish outside blocks)

What else?

Board members need to think about how they act and what they say as they are representing PEMB. This means making sure that they have read and understood the **Equality, Diversity and Inclusion Policy** (Appendix 4) and the **Code of Conduct** (Appendix 1) and act in a way that is in line with these policies. All Board members are asked to sign the Code of Conduct.

The Equality, Diversity and Inclusion Policy sets out PEMB's commitment to work in a way that promotes equality, diversity and inclusion.

The Code of Conduct sets out things like how a Board member needs to behave, and what happens if they behave in a way that breaks the Code of Conduct.

How long can I be Board member for?

The company rules say that every year one third of the Board have to stand down from the Board. There are usually people who decide to leave every year, but if this doesn't add up to one third of the Board, the longest standing Board members have to stand down. They can stand to be re-elected if they want to continue, and there is no time limit on how long someone can be a Board member as long as they are re-elected.

How do I stand for re-election?

If you have to step down and then wish to be re-elected, you will need to let the PEMB Manager know. You will need to be nominated and seconded by 2 other residents by them filling in a nomination form. Details of people standing for election will be sent round to all residents prior to the AGM (Annual General Meeting) in January so that they can vote for Board members. The Pembroke Street residents are the people who elect Board members by voting for them at the AGM .

The AGM

It used to be a legal requirement for all companies to have an AGM. Companies don't have to do this now as long as they send their accounts to all their members every year. Pembroke EMB's company rules still has the requirement for an AGM within it, so at the moment an AGM is still required.

An AGM covers the following:

- Presenting the annual accounts to members
- Reporting on how the company has performed over the year
- Electing new Board members
- Dealing with any changes to the companies constitution

All members of the company (i.e. all residents) are invited to come to the AGM. It is held in January each year and residents are notified of the date, time and venue in advance.

Social Housing Charter

The Government published the Social Housing White paper in November 2020 which presents a charter setting out seven commitments that social housing residents should be able to expect from their landlord. These commitments are:

1. To be safe in your home. We will work with industry and landlords to ensure every home is safe and secure.
2. To know how your landlord is performing, including on repairs, complaints and safety, and how it spends its money, so you can hold it to account.
3. To have your complaints dealt with promptly and fairly, with access to a strong Ombudsman who will give you swift and fair redress when needed.
4. To be treated with respect, backed by a strong consumer regulator and improved consumer standards for tenants.
5. To have your voice heard by your landlord, for example through regular meetings, scrutiny panels or being on its Board. The Government will provide help, if you want it, to give you the tools to ensure your landlord listens.
6. To have a good quality home and neighbourhood to live in, with your landlord keeping your home in good repair.
7. To be supported to take your first step to ownership, so it is a ladder to other opportunities, should your circumstances allow

For more detail on the White Paper and the Charter see:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/936098/The_charter_for_social_housing_residents_-_social_housing_white_paper.pdf

Further Information

If you'd like to find out more about anything covered in this handbook, here are some useful links to websites:

- National Federation of Tenant Management Organisations (NFTMO). PEMB is a member of the NFTMO. The website is currently down for maintenance but if you'd like more information, please ask.
- Devon Home Choice <https://www.devonhomechoice.com/>
- National Housing Federation has more information about what Housing Associations do <https://www.housing.org.uk/about-housing-associations/>
- TPAS has a range of information about tenancy engagement including latest news <https://www.tpas.org.uk/tpas-news>
- Inside Housing has all the latest news about the social housing sector <https://www.insidehousing.co.uk/home>

Appendix 1

Code of Conduct

Introduction

The purpose of this Code of Conduct is to help Board members in their work, to make sure everyone is clear about what is expected, and to protect the best interests of Pembroke EMB.

Obligations of Board Members

Pembroke EMB expects all Board members to:

- Support the EMB's aims
- Treat each other, members of staff and any other persons they come into contact with in their role with respect and courtesy at all times.
- Behave in a way that is consistent with the EMB's Equalities, Diversity and Inclusion policy
- Attend PEMB Board meetings and committee meetings. Members are expected to have read the papers which have been circulated so that they can fully contribute to the meetings.
- Take part in decision making.
- Act only in the interests of Pembroke EMB and not in their personal interest or on behalf of any other interest group.
- Attend any relevant training events

Conduct at meetings

Board members are expected to:

- Attend meetings wherever possible
- Arrive on time for meetings
- Read all papers and come to meetings prepared to take part in discussions. If something on the agenda or in the papers isn't clear, speak to the Manager in advance of the meeting
- Take it in turns to speak
- Ask if something is unclear
- Turn phones off or to silent and not use phones during the meeting. If a Board member needs to take an urgent phone call during a meeting, they should let the Chair know at the start of the meeting and leave the meeting to take the call.
- Listen carefully to what is said and be prepared to consider other people's opinions.
- Be respectful to others at all times – even if there is disagreement, this should be dealt with respectfully, both in the way that disagreements are aired (not being rude or dismissing the person's view, but using language such as 'I don't agree with you on that because...') and avoiding non verbal actions such as eye rolling or frowning.
- Only discuss matters that are on the agenda (you can ask to add items to the agenda in advance of the meeting or at the meeting) and stick to the topic being discussed

- Work to resolve differences within the Board

CONFLICTS OF INTEREST

Board Members are expected to always act in the best interest of PEMB and not let any personal interest influence their decisions as a Board member. Board members must not use their position for any kind of gain or advantage.

Some examples of possible conflicts of interest are:

- If a Board member wanted some work done near their flat and used their position as a Board member to get this work prioritised.
- If the Board were deciding who to give some work to and one of the people under consideration was a Board members relative.

Conflicts of interest are best avoided, but this is not always possible – so conflicts of interest need to be declared and managed. It is important to recognise that even if a Board member is not using a personal connection to gain any advantage, the fact that people might see the potential for them to gain an advantage is the important factor.

All Board members must fill in a Declaration of Interests form when they become a Board member which details any general interest that they have that might be seen as impacting on their role as Board member (e.g. employment, personal relationships etc.) In addition, Board members must complete a Declaration of Interest form within 28 days if they find themselves in a situation where a new conflict of interest arises.

Some examples of these are:

- General declaration – a Board member might declare that they are related to a senior member of Plymouth Community Homes or to another Board member.
- Specific Declaration of Interest – a Board member might fill in a specific Declaration of Interest form if a new project that the Board had gained funding for was looking for staff and their relative was applying for the job. This would mean that the Chair could make sure this Board member was not involved in the recruitment.

The Chair may ask Board members to withdraw from parts of meetings or not be involved in certain decisions if there is a conflict of interest for that Board member in relation to a specific discussion/decision.

In the event of a Board member considering that another Board member has an interest which should be disclosed, he/she should raise this with the Chair.

The Declaration of Interest form is attached at Appendix 2.

Declaration of gifts and hospitality

Board members should, in general, not accept gifts or hospitality that are offered to them in their role as a Board member. Hospitality includes things like the offer of a free meal or tickets for an event. This is because accepting gifts or hospitality could be seen as influencing the Board member. Sometimes it is ok to accept small gifts or hospitality – such as small items given out at a training event or conference - but Board members should avoid accepting substantial gifts or hospitality. If these are accepted, they should be declared so that it is not seen to be influencing the Board member. The declaration is at Appendix 3.

Confidentiality

Board members may have access to information that is confidential in Board meeting papers and discussions. Board meeting papers should not be discussed with anyone other than other Board members or sent to anyone else. This information must not be discussed with others – even family members or partners. It is difficult to give a definite definition of what information is confidential and which is not. Information that other residents of Pembroke Street would reasonably have access to through websites, newsletters or word of mouth is not confidential. Information about individuals on the estate, or processes that are ongoing such as appointing employees or consultants is confidential. It is therefore best to treat all information shared at Board meetings and in Board meeting papers as confidential and if in doubt to check with the Manager or the Chair of the meeting before sharing anything.

Outside Activities

Board members should be aware that their actions or activities outside of being a Board Member could reflect on the image or reputation of PEMB. Examples of outside things that could reflect badly on the Board would be having a loud public argument with a neighbour, or joining a group that holds extreme views about a particular topic.

Misconduct

What kind of things might be seen as misconduct?

It's not possible to give a full list of things that might be seen as misconduct. However here are a few examples of things that a Board member might do that could be misconduct:

- Repeatedly being rude to or arguing with other Board members at Board meetings
- Acting in their own interest instead of Pembroke EMB's – trying to get the Board to make decisions that suit them or their family or would lead to them gaining financially
- Telling other people confidential information from Board meetings
- Sharing Board papers with anyone not on the Board
- Acting in a way that brings the Board into disrepute e.g. having public arguments, joining an organisation that it at odds with the EMB's Equal Opportunities policy.
- Talking negatively about the EMB at other meetings or in public
- Not declaring gifts or hospitality in their role as a Board Member
- Being abusive to others on the grounds of race, gender, age, disability, marital status, gender reassignment, religion or belief, sex, sexual orientation or pregnancy.
- Sexual harassment of another Board member, member of staff or member of the public

If there is a concern that a Board members' conduct is in conflict with the company rules or ethos, the Code of Conduct, or the legal obligations of the company, the following would happen:

- The Chair will arrange for an investigation of any allegation of misconduct to be conducted to establish the facts. They may bring in an external consultant for advice or to do the investigation.
- The Board can suspend a Board member from all Board meetings whilst allegations of misconduct are being investigated.
- The results of the investigation will be brought to the Board for a decision about what action should be taken. An extra meeting of the Board may be arranged to do this.

- What action is taken will depend on how serious the misconduct is and if there is previous misconduct. If the misconduct is serious the Board can ask the Board member to stand down voluntarily or formally remove them from the Board in accordance with the company rules.
- A Board member has the right to appeal against any decision. If they want to do so, they need to write to the Chair of the Board within 14 days of being notified of the decision and say clearly why they are appealing.
- The appeal will go to the Board for consideration and the Board's decision will be final.
- If the allegation of misconduct is about the Chair, the Manager will arrange the investigation.

Grievances

A grievance is a formal complaint against another Board member or a member of staff.

If a Board member wishes to raise a grievance, he/she should write to the Chair.

If the grievance relates to another Board member the Chair should arrange an investigation to determine the facts and whether the grievance should be formally considered by the board.

If the grievance relates to the Chair, then another Board member will be appointed by the Board to arrange the investigation to determine the facts and whether the grievance should be formally considered by the Board.

If the grievance is taken to the Board for a formal decision, the Board can take a number of actions as set out in the grievance policy.

If the Board member is not satisfied with the outcome which would normally be sent within 20 working days of the original grievance, he/she may appeal to the Chair in writing seeking an appeal and clearly outlining the grounds for the appeal.

The appeal will be referred to an Appeals panel; the composition of the appeals panel will be determined by the Chair and will comprise a minimum of 3 members of the Board. The appeal will normally be heard within 10 working days of lodging the appeal.

The decision of the Appeals panel is final.

Declaration and signature

I declare that I have read and understood the PEMB code of conduct and agree to act in accordance with the Code of Conduct

Signed:

Date:

Appendix 2

Declaration of Interest

Name of person making declaration:

A conflict of interest arises where you have a personal interest which conflicts, might conflict, or might be seen to conflict with the interests of PEMB. A conflict of interest could come up through:

- ✓ Being a Director with another organisation
- ✓ Being employed by another organisation
- ✓ Owning shares in a company
- ✓ Personal or family relationships

Please give details of anything that may be a conflict of interest below:

Category	Details of the potential conflict of interest and whether it applies to you or a member of your immediate family, or connected person (Please insert Not applicable (N/A) if this does not apply)
Any job that you or a family member or close connected person have e.g. if you work for PCH or a Contractor that PEMB employs	
Any Trusteeships or Directorships that you, a family member or close connected person have	
Any membership of an organisation, special interest or campaign group that you, a family member or close connected person have	
Any financial interest in a company that you, a family member or close connected person have	
Any contract agreement for goods, services or work between you, a family member or close connected person, or a company in which you are a Director or have a financial interest	
Any family/personal relationship with another person on the Board or PEMB staff member	

The information I have provided is accurate and comprehensive to the best of my knowledge. I have not provided any false or misleading information. I acknowledge that if any of the information I have provided changes, I will notify PEMB of the changes within 28 days.

In the interests of openness and transparency, I acknowledge that any missing, inaccurate or misleading information could be considered a breach of the PEMB code of conduct and investigated.

Signed:

Date:

Appendix 3

Declaration of gifts and hospitality

Name of person making the declaration:

Nature of gift or hospitality:

Received from:

Circumstances of the gift/hospitality:

Signed:

Date:

Equality, Diversity and Inclusion Policy

November 2022

1. Vision statement – our commitment

Pembroke EMB is committed to achieving a working environment for staff, volunteers and Board members which provides equality of opportunity, and does not unlawfully discriminate against anyone. We are committed to ensuring that the workforce and Board is representative of the local community, and to providing a service to tenants and residents of Pembroke Street that is accessible to all and does not unlawfully discriminate.

2. Outcomes - what we want to achieve through this policy:

- To provide equality, fairness and respect for all our paid staff and volunteers; this includes, but is not limited to - pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.
- To ensure that there is a focus on the aim that our staff, volunteers and Board members are representative of all sections of the community, and for each member of the workforce and Board to feel respected and able to give their best.
- To not unlawfully discriminate on the basis of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation.
- To provide equality of access to our services to all sections of the community, recognising that some individuals and groups may require specific measures to facilitate this. (e.g, providing information in different languages)

3. Purpose of this policy

The purpose of this policy is to:

- Set out Pembroke EMB's vision
- Give information on discrimination and the law
- Set out the things that we will do to ensure Pembroke EMB works towards it's vision
- Be clear on the behaviours expected from staff and Board Members

- Describe how we will manage any situation where someone believes they have been treated unfairly

4. Scope

This policy applies to all Pembroke EMB staff, volunteers and Board members.

5. Definitions

Equality means making sure that everyone is treated fairly and with dignity and respect. It means challenging discrimination and removing barriers, so that everyone has opportunities to achieve their desired outcomes.

Diversity is about recognising the benefits of different values, abilities, and perspectives, and celebrating people's differences. This means promoting an environment that welcomes and values diverse backgrounds, thinking, skills and experience.

Inclusion is about providing a space where everyone has equal access to opportunities and resources, and where everyone feels valued and accepted. Everyone should be able to contribute and have a voice. This may mean making reasonable adjustments to facilitate participation.

The Equality Act 2010 – this Act legally protects people against discrimination in the workplace and in wider society. The Act states that it's against the law to discriminate against someone because of the following (these are called 'protected characteristics')

- age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

Discrimination is unequal or different treatment where one person is treated better or worse because of a protected characteristic.

Direct discrimination is where someone is treated less favourably on the grounds of a protected characteristic, for example, if someone was the best in an interview for a job, but the employer decided not to employ them because they were a young woman and they thought she might get pregnant and take maternity leave, and employed a man who came second in the interview process instead.

Indirect Discrimination is where something applies to everyone but affects people with a particular protected characteristic more than others and is not justified, for example, saying that all employees have to work full time without exception could cause indirect discrimination against a woman who has recently had a child or is pregnant.

Harassment is when someone is subjected to unwanted behaviour that is connected to a protected characteristic and makes them feel intimidated or humiliated, for example if someone is called names or subject to inappropriate remarks because of their sexuality.

Unconscious biases - are the beliefs and attitudes we hold, and associations we make, outside of our conscious awareness and control.

Everyone carries unconscious biases. They tend to be revealed in situations where we automatically make immediate judgements and assessments. They are influenced by our background, our personal experiences, the deeply embedded stereotypes held in the society, communities and cultures / subcultures within which we live.

This is not just about gender or ethnicity: unconscious biases can and will be held regarding just about anything - across all the protected characteristics in the Equality Act 2010 and beyond, e.g. class, body weight, names.

Unconscious bias can have a significant impact on our attitudes and behaviours, especially towards other people. It can influence key decisions in the workplace and can contribute to inequality, for instance in selection and recruitment, appraisals or promotion; but also in day-to-day interactions, decisions and work practices.

6. How the policy will be delivered – what we will do

- We will ensure that all staff, volunteers and Board Members fully understand the Equality, Diversity and Inclusion Policy and their rights and responsibilities within it, and agree to fulfil these responsibilities. Training will be offered to all staff, volunteers and Board members to assist them to understand the policy and responsibilities under it. This will include an opportunity to look at unconscious bias as we recognise that discrimination is often not due to overt discrimination, but the unconscious biases that we all hold.
- We will take action to ensure we create the best conditions for the staff team and Board to be representative of the local community. This will include such actions as: carefully considering how and where we advertise jobs to reach a wide audience, ensuring that terms and conditions of jobs are as flexible as possible, thinking about when and where we hold Board meetings to ensure people can attend, thinking about how we can advertise opportunities on the Board to under represented groups within the community (e.g. young people)
- We will ensure that we do not discriminate in the process of delivering a service to tenants and residents (e.g. in allocating properties, responding to requests for repairs etc.) We will ensure that we identify whether prospective tenants/tenants and residents have any requirements to ensure they can access our services (e.g. receiving material in an alternative language)
- We will ensure that all tenants/residents of Pembroke Street are aware of this policy and their rights and responsibilities within it, including the right to complain. We will do this by telling people about the policy when they move in, and putting a statement in the newsletter.
- We will consider how to make our services more accessible to all sections of our community e.g. by making information available in different languages
- We will consider the following areas in relation to our staff:
 - ✓ pay and benefits e.g. making sure that people are paid the same for similar work
 - ✓ terms and conditions of employment i.e. making sure that everyone has comparable terms and conditions
 - ✓ dealing with grievances and discipline
 - ✓ dismissal
 - ✓ redundancy
 - ✓ leave for parents
 - ✓ requests for flexible working – e.g. considering reasonable requests e.g. if a new parent applies for flexible working
 - ✓ selection for employment, promotion, training or other developmental opportunities – i.e. making sure that the best person for the job, training or development opportunity is offered that opportunity
 - ✓ We will make reasonable adjustments to facilitate the employment of a person living with a disability. This may include actions such as giving an employee living with a disability time off work for medical treatment, or supplying or modifying equipment, instructions or training manuals for employees living with a disability.

7. Responsibility for delivering the policy

All staff and Board members of Pembroke EMB are responsible for working within the Equality, Diversity and Inclusion policy and have a responsibility to ensure that they fully understand the policy. This includes taking up an offer of training if necessary. Staff and Board members should conduct themselves in a manner that helps the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

8. Acting on discriminatory behaviour

Any allegations of discriminatory behaviour or harassment should be reported to the Chair of the Board or the EMB manager. An investigation will take place. This may involve the Disciplinary procedure, the Code of Conduct or the matter being treated as an ASB or Police matter, dependent on circumstances.

9. Reviewing this policy

We will review this policy every 3 years to ensure that it is fit for purpose.

Appendix 5 – Complaints Policy

Complaints and Comments

Policy and Procedure

Summary

This policy outlines our approach to dealing with complaints and comments. Throughout the policy we refer to residents as the complainant. In practise, anyone who receives a service from PEMB can make a complaint or comment.

We aim to provide a high quality service at all times.

Residents generally accept that on occasion things do go wrong, but expect that something will be done to put them right. We are committed to providing a quick and accessible complaints procedure.

Pembroke Estate Management Board (PEMB) uses complaints to make improvements to services, and reduce the likelihood of the same mistakes being repeated.

We also encourage resident comments and compliments on our services. This also assists us in improving services, and also in providing positive feedback to staff.

We will make the policy available to anyone who requests it.

Definition

A complaint is defined as:

‘Any dissatisfaction with Pembroke Estate Management Board, whether justified or not’. In terms of our complaints policy, this can be:

- A failure of a service that we provide
- A failure to meet expected standards
- The way in which we have handled an incident or request (or not done so)
- Unhelpful staff or contractors
- Incorrect information provided
- Dissatisfaction with a PEMB policy.

The following are not considered to be complaints:

- first request for a service
- first contact to report a fault
- a request for information about or a clearer explanation of our policies
- contact for a further explanation of a decision

- an issue raised where there is a right of appeal or a legal solution.

Policy

PEMB considers resident involvement and satisfaction to be a priority. The majority of PEMB Directors are residents on the estate, who play an active part in day to day and strategic decision making. PEMB has an open access office and there are lots of opportunities for residents to keep in touch and offer feedback. PEMB values resident input which we will use to make sure that we are delivering the services that they want and at a level with which they are satisfied.

PEMB will take every opportunity to ensure that compliments, comments and complaints are used to help us to deliver better services.

Aims and objectives

We will deal with all complaints, promptly, courteously, and in a fair and systematic manner and will achieve this by:

- ensuring that information about how to make a complaint or comment is readily available and well publicised
- making the complaints process easily accessible, simple to understand and use
- handling complaints quickly, within agreed and published timescales
- ensuring that complaints are fully and fairly investigated
- ensuring that they are dealt with in confidence
- keeping residents informed of progress
- providing an effective response, that deals with all points at issue
- ensuring that any action promised to redress the complaint is taken
- providing appropriate redress
- ensuring that information about complaints is used to improve services

How complaints can be made

Residents have individual preferences about how to make their complaint including letters, by completing a form, in person, by telephone or via the Internet.

Residents are encouraged to bring a problem to the attention of the relevant member of staff immediately. This provides us with the opportunity to resolve mistakes or misunderstanding quickly in the course of our day to day management.

Anonymous complaints will be investigated as appropriate, as the anonymous complaint may highlight a problem, which needs to be addressed or raise issues that need to be followed up.

Who can make a complaint

Any individual or group who either receives services from PEMB or is affected by our services can make a complaint.

Fairness

A structured approach will be followed to acknowledge all complaints and verify the details.

1. Clarify the complaint and what outcome is required.
2. Identify whether the complainant requires support to enable the complaint to be made (interpreter, large print, independent support)
3. Check whether the complainant needs any further support to understand the discussion
4. Explain the procedure and discuss what outcome the resident wants.

The investigating staff and/or board member will thoroughly consider the complaint and investigate the matter and ensure a full & timely response is given. We will accept ownership of any service failures and apologise for them. The response should include the decision and the reasons for this decision.

If a complaint is made about a member of staff, it will be investigated by their manager and an appointed Board member. Fairness dictates that the complainant is given an opportunity to answer the complaint and then be kept informed of progress.

Managing the stages of a complaint

We have three stages to our official complaints procedure

Stage 1

We will acknowledge complaints as soon as possible. All complaints should be acknowledged within 2 working days.

Ideally at this stage we aim to provide a full response. However in some cases this will not be possible i.e. those complaints where we need to carry out a more lengthy investigation. We aim to provide a full response on 100% of complaints within 10 working days.

The full response should also advise the resident that if they are still not satisfied with this response, they have further redress through our complaints procedure.

If we are unable to provide a full response within 10 working days, a revised response time which will be notified to the resident.

Stage 2 -Reviewing the complaint

At Stage 2 a background report is provided to a panel of PEMB Board members with a copy of the initial complaint who will provide a response within 20 working days.

The response to the complaint should advise the resident that if they are still not satisfied they have the right to have their complaint heard by the full Board of Directors.

Stage 3 – The Complaints' Panel

The panel of Board members at stage 2 will advise the Board of Directors of the complaint and provide a background report – to be copied to the complainant.

The resident will be invited to attend or make representations to the meeting. The resident can be accompanied by an appropriate and agreed representative if they wish.

The panel will write to the resident within 10 working days of the meeting to confirm the outcome, although a verbal response may be given during the meeting.

Monitoring

Monitoring will be undertaken to ensure that any actions promised to rectify a complaint are completed in a satisfactory manner.

A quarterly report will be presented to the Board of Directors detailing numbers of complaints made, performance against targets, an overview of complaints made, issues identified and resident satisfaction feedback.

Resident Comments and suggestions

Pembroke EMB wants to keep improving its services.

Compliments tell us when a service is provided well. If we are told when we do well we can look at that service to see if we could copy their good practice in other parts of the organisation. It also helps us to provide positive feedback to members of staff who are providing a good service

Comments or suggestions for improvement often come from residents or front line staff, who are the best people to tell us what could be done differently, so that we could be faster, more cost effective or generally provide a better service.

If a change is made to a service as a result of a suggestion the person making that suggestion will be informed.

Equality, Diversity and Inclusion

PEMB recognises that it operates in a community within which there is wide social diversity, and is committed to providing equal opportunities and valuing diversity.

Through the management of our complaints and comments process we aim to treat all residents fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and marital status.